

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

CHRISTOPHER KELLER,

Petitioner,

v.

NETHANJAH BREITENBACH,

Respondents.

Case No. 3:22-cv-00481-ART-CLB

ORDER

This counseled habeas matter is before the Court on Petitioner Christopher Keller's declaration of voluntary dismissal of the unexhausted portion of ground 5 of his second-amended petition. (ECF No. 35.) On January 3, 2024, this Court determined that ground 5 is unexhausted to the extent that it includes grounds 3 and 4 and instructed Keller to inform the Court how he wished to proceed. (ECF No. 34.) Keller has timely complied.

It is therefore ordered that the unexhausted portion of ground 5 of the second-amended petition is dismissed.

It is further ordered that Respondents have up to and including March 18, 2024, in which to file an answer to the remaining grounds for relief in the second-amended petition. Keller will then have 30 days from the date of service of Respondents' answer to file a reply.

DATED THIS 19<sup>th</sup> day of January 2024.



ANNE R. TRAUM  
UNITED STATES DISTRICT JUDGE